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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Applicant: Charles D. Powell
Application No.: 10/696,906
Filing Date: October 30, 2003
Title: WATERFOWL LURING SYSTEM
Art Unit No. 3643
Examiner: Kurt C. Rowan
Docket No. : 006394.00003
Confirm. No.: 9238

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed January 10, 2005, and the Advisory Actions mailed April 5, 2005 and May 2, 2005 rejecting Claims 1-20.

{474362;}

CERTIFICATION UNDER 37 C.F.R. ' ' 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

(X) with sufficient postage as first class mail.

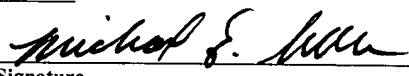
37 C.F.R. § 1.10*

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TRANSMISSION

() facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____

Date: May 10, 2005


Signature

MICHAEL E. SELLERS
(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

05/16/2005 MAHME1 00000005 501971 10696906

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1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on October 30, 2003.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity	\$250.00
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Notice of Appeal fee due	\$250.00
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3. EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee	\$60.00
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If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$250.00
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Extension fee	\$60.00
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TOTAL FEE DUE	\$310.00
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5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$310.00 to Deposit Account No. 50-1971.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1971.

Date: May 10, 2005

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